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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,986	12/03/2003	David I. Suda	D0932-00383	5088

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DUANE MORRIS, LLP  
IP DEPARTMENT  
ONE LIBERTY PLACE  
PHILADELPHIA, PA 19103-7396

EXAMINER
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GRAVINI, STEPHEN MICHAEL

ART UNIT	PAPER NUMBER
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3749

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

5/8

<b>Office Action Summary</b>	<b>Application No.</b> 10/726,986	<b>Applicant(s)</b> SUDA ET AL.	
	<b>Examiner</b> Stephen Gravini	<b>Art Unit</b> 3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.  
2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,4,7,8,10-16 and 20-29 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,3,4,7,8,10-16 and 20-29 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                               |                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20050114</u> . | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 103***

Claims 1, 3-4, 7-8, 10-16, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US 3,231,985) in view of Hicks (US 4,517,447). Smith is considered to disclose a curing oven tower for heating an uncured or partially cured insulation mat at column 1 and column 5 lines 30-55, except for the claimed counter rotating conveyor oven zones. Hicks, another oven conveyor, is considered to disclose counter rotating conveyor oven zones at column 5 lines 3-44. It would have been obvious to one skilled in the art to combine the teachings of Smith with the counter rotating conveyor oven zones, considered disclosed in Hicks, for the purpose of allowing a zigzag flow path of material to be treated such that the treatment area method overall size can be minimized.

Claims 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plumberg (US 3,144,376) in view of Wallin (US 3,060,589). Plumberg is considered to disclose moving an uncured or partially cured insulation mat except for the claimed serpentine path. Wallin, another heating moving method, is considered to disclose the claimed serpentine path at column 1 lines 9-72. It would have been obvious to one skilled in the art to combine the clear anticipation of Plumberg with the serpentine path, considered disclosed in Wallin, for the purpose of allowing a zigzag flow path of material to be treated such that the treatment area method overall size can be

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minimized and so that the height of the material bed is regulated in relation to the quantity and pressure of the supplied treating medium so that the flow velocity of the medium through the material is sufficient to overcome the inner frictional resistance of the material and make it possible for the material to move only by the action of the treating medium through said passageways by causing the material to flow as a continuously without any mixing and to be conveyed along and between the passageways in the form of a coherent body or layer wherein the relative position of the material particles with respect to one another remains substantially unchanged.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new grounds of rejection.

With respect to applicant' arguments that claims 22-29 are rejected based on impermissible hindsight and that there would be no reasonable expectation of success by combining the references. Primary reference Plumberg is considered to disclose moving an uncured or partially cured insulation mat while secondary reference is considered to disclose drying material using an overlapping conveyance through a heat source path. Both references were cited to show that treatment of a material can be realized regardless of the treatment path and that it would have been obvious to one skilled in the art to combine the conveyance path of the secondary reference with the insulation movement of the primary reference to obviate the claimed invention. Another reference, Mansson, cited in this action shows that conveyance methods using a

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serpentine path, as claimed, can be used for any material. The obviousness rejection is considered proper and maintained.

### ***Conclusion***

Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on 571 272 4475. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SMG  
May 26, 2005

*Stephane Tharini*